

MAY 14 2007

PTO/SB/64 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

C-DIT-1719

First named inventor: ANDREAS MENKHOFF

Application No.: 08/984,735

Art Unit: 2193

Filed: December 4, 1997

Examiner: MALZAHN, David H.

Title: DIGITAL FILTER COMBINATION FOR INTERPOLATION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of _____ (Identify type of reply):☐ has been filed previously on _____
is enclosed herewith.B. The issue fee and publication fee (if applicable) of \$ \$1,400.00.☐ has been paid previously on _____
☒ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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MAY 14 2007

PTO/SB/64 (04-07)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are retained in the application file and therefore are not publicly available.

Signature

May 14, 2007

Date

PAULA A. SCHWARZ

Typed or printed name

37,577

Registration Number, if applicable

DUANE MORRIS LLP

Address

609.631.2446

Telephone Number

P.O. Box 5203, Princeton, NJ 08543-5203

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Charge Petition (\$1,500); Issue Fee (\$1,400) to Deposit Account No. 04-1879.

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

May 14, 2007

Date

Signature

Valerie L. Benson

Typed or printed name of person signing certificate

Duane Morris*

DUANE MORRIS LLP
100 AMERICAN METRO BOULEVARD, SUITE 150
HAMILTON, NJ 08619-2304
P.O. BOX 5203
PRINCETON, NJ 08543-5203
PHONE: 609.631.2400
FAX: 609.631.2401

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FRANK A. LUCHAK, RESIDENT PARTNER

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OFFICE OF PETITIONS

FACSIMILE TRANSMITTAL SHEET

TO: Mail Stop PETITION

FIRM/COMPANY: U.S. Patent and Trademark Office

FACSIMILE NUMBER: (571) 273-8300

FROM: PAUL A. SCHWARZ

DIRECT DIAL: 609.631.2446

DATE: May 14, 2007

FILE NUMBER: U.S. Application No. 08/984,735 of Andreas Menkhoff et al.
Our File No. N0691-00030

TOTAL # OF PAGES: 16
(INCLUDING COVERSHEET)

MESSAGE: Please see attached document(s) for filing in the USPTO.

NOTE: Original will NOT follow.

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

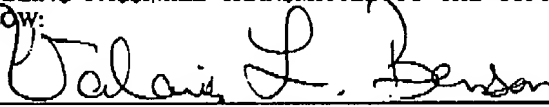
If there is a problem with this transmission, please call us as soon as possible at 609.631.2400.

MAY 14 2007

002/016

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: Mail Stop PETITION, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, OR BEING FACSIMILE TRANSMITTED TO THE USPTO (571) 273-8300, ON THE DATE INDICATED BELOW:

BY:



Valarie L. Benson

DATE: May 14, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application: : **Group Art Unit: 2193**
Andreas Menkhoff et al. :
:
Serial Number: 08/984,735 : **Examiner: David H. MALZAHN**
:
Filed: December 4, 1997 : **Confirmation No.: 2587**
:
Title: DIGITAL FILTER COMBINATION : **Attorney Docket No.: C-DIT-1719**
FOR INTERPOLATION :

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO ACT ON PETITION

Dear Sir:

A Petition To Withdraw Holding Of Abandonment Due to Non-Receipt Of Office Communication (the Petition) was filed on February 1, 2000 by Applicants' former attorney, Arthur L. Plevy. A copy of this paper is attached herewith.

No decision has been received from the U.S. Patent and Trademark Office on the Petition. Accordingly, Applicants hereby request that action be taken on the Petition.

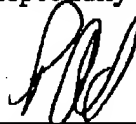
If the Petition can not be granted, Applicants respectfully request consideration of the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b), which is attached herewith.

05/14/2007 17:19 FAX 6096312401
05/15/2007 09:00 FAX 6096312401
05/15/2007 09:00 FAX 6096312401

Should there be any questions or matters whose resolution may be advanced by a telephone call, please contact the undersigned attorney (see attached copy of Revocation and Power of Attorney filed April 13, 2007) at the number listed below.

The Commissioner is hereby authorized to charge the fee for the Petition to Revive (if required) and any other fees which may be required or credit any overpayment to Deposit Account No. 04-1679.

Respectfully submitted,



PAUL A. SCHWARZ
Registration No. 37,577
Attorney for Applicants

Date: May 14, 2007

DUANE MORRIS LLP
P.O. Box 5203
Princeton, NJ 08543-5203
Direct Telephone. 609.631.2446
Facsimile: 609.631.2401
paschwarz@duanemorris.com

MAY 14 2007

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COPY

C-DIT-1719 MENKHOFF

THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED**

MAY 18 2007

OFFICE OF PETITIONS

Applicant: Menkhoff
Serial No.: 08/984,735
Atty. Docket: C-DIT-1719
Filed: December 4, 1997
For: DIGITAL FILTER COMBINATION FOR INTERPOLATION
Examiner: D. Malzahn
Art Unit: 2787

PETITION TO WITHDRAW HOLDING OF ABANDONMENT DUE TO NON-
RECEIPT OF OFFICE COMMUNICATION

Box PETITIONS
Hon. Assistant Commissioner of Patents
Washington, D.C. 20231

any party that this correspondence and/or its
contents are being received by the United States Postal Service
on or after the date of this communication, the date of receipt shall be the date of receipt for the purpose of the
U.S. Patent and Trademark Office.
U.S. 20231, on 2-1-00
(Date of Receipt)

[Signature]

Dear Sir:

We have received a Notice of Abandonment dated December 29, 1999 regarding the above-identified United States utility patent application. It states the above-identified application is abandoned in view of Applicant's failure to pay the issue fee.

The last communication received from the United States Patent and trademark Office in connection with this application is dated April 22, 1999. Applicant filed an amendment and response to this action on July 8, 1999 together with a change of address specifying Applicant's attorney's new 500 College Road address. Applicant assumes this Amendment was received as the above-identified application has apparently been allowed. However, Applicant's attorney never received a Notice of Allowability or Notice of Allowance regarding the above-identified application. Applicant's attorney has further searched his file jacket and docket records for the above-identified application which also respectively indicate the Notice of Allowability and Notice of Allowance were never received. Additionally, a copy of the docket record for this application

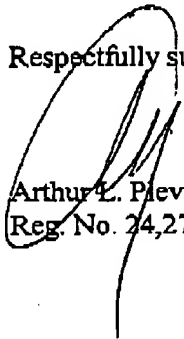
COPY**C-DIT-1719 MENKHOFF**

where receipt of a Notice of Allowance or Notice of Allowability would have been recorded is included and also fails to reflect such a receipt.

Applicant respectfully requests a new Notice of Allowance and Notice of Allowability. If there are any fees or fee deficiencies due and owing in respect to this application, the Office is authorized to charge such fees to deposit account number 50-1057.

Should there be any questions or other matters whose resolution may be advanced by a telephone call, the Office is cordially invited to contact Applicant's undersigned attorney at his number listed below.

Respectfully submitted,


Arthur L. Pievy
Reg. No. 24,277

BUCHANAN INGERSOLL
College Centre
650 College Road East
Princeton, NJ 08540
(609) 987-6880

MAY 14 2007

COPY**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

MENKHOFF

Art Unit: 2787

Examiner: D. Malzahn

Serial No. 08/984,735

Filed: 12/4/97

Date: February 1, 2000

For: **DIGITAL FILTER COMBINATION:
FOR INTERPOLATION**Honorable Assistant Commissioner of Patents
Washington, D.C. 20231**RECEIVED**

MAY 18 2007

OFFICE OF PETITIONS**COMMUNICATION RE: CHANGE OF ADDRESS**

Dear Sir:

Please direct all future correspondence in the above matter to the following address:

ARTHUR L. PLEVY, ESQ.
BUCHANAN INGERSOLL P.C.
College Centre
650 College Road East
Princeton, NJ 08540

Respectfully submitted,

ARTHUR L. PLEVY
Reg. No. 24,277ARTHUR L. PLEVY, ESQ.
Buchanan Ingersoll P.C.
College Centre
650 College Road East
Princeton, NJ 08540
(609) 987-6880

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